

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CONSERVATION LAW FOUNDATION, INC.,

Plaintiff,

v.

SONE ALLOYS, INC., et al.,

Defendants.

Case No. 1:12-cv-10773-GAO

NOTICE OF LODGING OF PROPOSED CONSENT DECREE

Plaintiff Conservation Law Foundation, Inc., (CLF) hereby provides notice to the Court that the Parties¹ are lodging the attached Proposed Consent Decree, pending the conclusion of the required 45-day review period mandated by the Clean Water Act and its regulations. 33 U.S.C. 1251 *et seq.* and 40 C.F.R. 135.5(b). No action by the Court is needed at this time.

The Citizen Suit provision of the Clean Water Act provides that no consent judgment shall be entered in an action in which the United States is not a party prior to 45 days following the receipt of a copy of the proposed consent judgment by the Attorney General and the EPA Administrator. 33 U.S.C. § 1365(c)(3).

On September 9, 2014, plaintiff's counsel sent copies of the fully executed Consent Decree to the Administrator, Environmental Protection Agency, Washington, DC 20460, as well as to the United States Department of Justice, Citizen Suit Coordinator, Environment and Natural Resources Division, Law and Policy Section, P.O. Box 7415, Ben Franklin Station, Washington, D.C. 20044-7415 pursuant to the requirements of 40 CFR § 135.5. The Parties are currently waiting for (1) notice from the U.S Department of Justice ("DOJ") that the DOJ Citizen Suit

¹ Defendant Joseph Enos & Sons Trust was dismissed by Order of the Court on March 6, 2014 [ECF No. 72].

Coordinator received the proposed consent judgment and (2) the start and end dates of the 45-day review period as determined by DOJ.

CLF is submitting the attached Proposed Consent Decree to the Court for informational purposes only. At the expiration of the 45-day review period set forth in 33 U.S.C. § 1365(c)(3), the Parties will jointly move the Court to enter the Consent Decree.

DATED: September 9, 2014

Respectfully submitted,

CONSERVATION LAW FOUNDATION, INC.,

By its attorney,

/s/ Zachary K. Griefen
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CERTIFICATE OF E-SERVICE

I hereby certify that the foregoing Notice of Lodging of Consent Decree, filed electronically through the ECF system with the Court on September 9, 2014, has been sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants, if any, on September 9, 2014.

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